Charter

OF THE

Colony of Connecticut.

1662.

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THIS BOOK PRESENTED BY

Francis Newton Thorpe

CHARTER

OF THE

COLONY OF CONNECTICUT.

1662.

HARTFORD, CONN.:
The Case, Lockwood & Brainard Company, Printers.
1888.

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CHARTER OF 1662.

[On the 14th of March, 1661, the General Court of Connecticut voted to petition the king for the continuance and confirmation of such privileges and liberties as were necessary for the comfortable and peaceable settlement of the Colony.

Governor Winthrop was requested to act as the agent for the Colony. He sailed from New York in July, 1661. The letter of credit for £500 sterling, which he took with him, may be seen in the State Library. The amount was paid in wheat and pease. He succeeded in procuring a very liberal charter, which bears date April 23d, 1662.

The charter was made in duplicate and sent in different ships. The original, more highly ornamented than the other, now hangs in the Secretary's office. The duplicate probably arrived first, and was received in Connecticut in September, 1662. There are some trifling verbal differences between them, not, however, affecting the sense.

In 1687 it became evident that the Colony was likely to be deprived of the charter, and measures were taken accordingly. There is a very curious entry on the Colonial Records in June, 1687, of the production of the (original) charter in court, and of its being left on the table with the key in the box at the adjournment of the Court, with no one responsible for its safety, the committee which had been appointed to keep it being discharged by their surrendry of it to the Court. Perhaps it was at this time that the charter was quietly taken by Nathaniel Stanly and John Talcott, and concealed in the famous oak. On the 31st of October, 1687, Sir Edmund Andros came to Hartford to receive the surrender of the Charter. The Assembly met and sat late at night. The duplicate charter was brought forth and placed on the table. Suddenly the lights were extinguished, and Captain Joseph Wadsworth carried off and concealed the duplicate, which he retained until 1715, when the Assembly made him a grant for his good service in the matter. What remains of the duplicate may be seen in the rooms of the Connecticut Historical Society at Hartford. How it was saved from being cut up to make the foundation of a bonnet is told in a note in Vol. 4 of the Colonial Records.

The charter continued to be the basis of our government until it was superseded by the constitution of 1818. — *C. J. Hoadly.*]

Charles the Second, By the grâce of God, King of England, Scotland, France and Ireland, defender of the Faith, &c.; **To** all to whome theis presents shall come, Greetinge: **Whereas,** by the severall Navigaĉons, discoveryes and successfull Plantaĉons of diverse of our loveing Subjects of this our Realme of England, Severall Lands, Islands, Places, Colonies and Plantaĉons have byn obtayned and setled in that parte of the Continent of America called New England, and thereby the Trade and Comerce there hath byn of late yeares much increased, **And whereas,** wee have byn informed by the humble Petiĉon of our Trusty and welbeloved John Winthrop, John Mason, Samuell Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treate, Richard

Lord, Henry Woolicott, John Talcott, Daniell Clerke, John Ogden, Thomas Wells, Obedias Brewen, John Clerke, Anthony Haukins, John Deming and Mathew Camfeild, being Persons Principally interested in our Colony or Plantacon of Conecticutt in New England, that the same Colony or the greatest parte thereof was purchased and obteyned for greate and valuable Consideracons, And some other part thereof gained by Conquest and with much difficulty, and att the onely endeavours, expence and Charge of them and their Associates, and those vnder whome they Clayme, Subdued and improved, and thereby become a considerable enlargement and addicon of our Dominions and interest there, — **Now Know yea,** that in consideracon thereof, and in regard the said Colony is remote from other the English Plantacons in the Places aforesaid, And to the end the Affaires and Busines which shall from tyme to tyme happen or arise concerning the same may bee duely Ordered and manaaged, **Wee have** thought fitt, and att the humble Peticon of the Persons aforesaid, and are graciously pleased to Create and Make them a Body Pollitique and Corporate, with the powers and Priviledges herein after menconed; And accordingly Our will and pleasure is, and of our especiall grace, certeine knowledge and meere mocon, **wee have** Ordeyned, Constituted and Declared, And by theis presents, for vs, our heires and Successors, **Doe** Ordeine, Constitute and Declare That they, the said John Winthrop, John Mason, Samuell Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treate, Richard Lord, Henry Woolcott, John Talcot, Daniell Clerke, John Ogden, Thomas Wells, Obadiah Brewen, John Clerke, Anthony Hawkins, John Deming and Mathew Camfeild, and all such others as now are or hereafter shall bee Admitted and made free of the Company and Society of our Collony of Connecticut in America, shall from tyme to tyme and for ever hereafter, bee one Body Corporate and Politique in fact and name, by the Name of Governour and Company of the English Collony of Conecticut in New England in America; And that by the same name they and their Successors shall and may have perpetuall Succession, and shall and may bee Persons able and capable in the law to Plead and bee Impleaded, to Answere and to bee Answered vnto, to Defend and bee Defended in all and singuler Suits, Causes, quarrelles, Matters, Accons and things of what kind or nature soever, And alsoe to have, take, posesse, acquire and purchase lands, Tenements or hereditaments, or any goods or Chattells, and the same to Lease,

Graunt, Demise, Alien, bargaine, Sell and dispose of, as other our leige People of this our Realme of England, or any other Corporacon or Body Pollitique within the same may lawfully doe. **And further,** that the said Governour and Company, and their Successors shall and may for ever hereafter have a Comon Seale to serve and vse for all Causes, matters, things and affaires whatsoever of them and their Successors, and the same Seale to alter, change, breake and make new from tyme to tyme att their wills and pleasures, as they shall thinke fitt. **And** further, wee will and Ordeine, and by theis presents for vs, our heires and Successors **Doe** Declare and appoint, that for the better ordering and manageing of the affaires and businesse of the said Company and their Successors, there shall bee one Governour, one Deputy Governour and Twelve Assistants, to bee from tyme to tyme Constituted, Elected and Chosen out of the Freemen of the said Company for the tyme being, in such manner and forme as hereafter in these presents is expressed; which said Officers shall apply themselves to take care for the best disposeing and Ordering of the Generall busines and affaires of and concerning the lands and hereditaments herein after menconed to bee graunted, and the Plantacon thereof and the Government of the People thereof. And for the better execucon of our Royall Pleasure herein, **wee doe** for vs, our heires and Successors, Assigne, name, Constitute and appoint the aforesaid John Winthrop to bee the first and present Governour of the said Company; And the said John Mason to bee the Deputy Governour; And the said Samuell Willis, Mathew Allen, Nathan Gold, Henry Clerke, Richard Treat, John Ogden, Thomas Tappen, John Talcott, Thomas Wells, Henry Woolcot, Richard Lord and Daniell Clerke to bee the Twelve present Assistants of the said Company; to contynue in the said severall Offices respectively, vntill the second Thursday which shall bee in the moneth of October now next comeing. **And** further, wee will, and by theis presents for vs, our heires and Successors, **Doe** Ordaine and Graunt that the Governour of the said Company for the tyme being, or, in his absence by occasion of sicknes, or otherwise by his leave or permission, the Deputy Governour for the tyme being, shall and may from tyme to tyme vpon all occasions give Order for the assembling of the said Company and calling them together to Consult and advise of the businesse and Affaires of the said Company, And that for ever hereafter, Twice in every yeare, That is to say on every Second Thursday in October and on every Second Thurs-

day in May, or oftener, in Case it shall bee requisite, The Assistants and freemen of the said Company, or such of them (not exceeding twoe Persons from each place, Towne or Citty) whoe shall bee from tyme to tyme thereunto Elected or Deputed by the maior parte of the freemen of the respective Townes, Cittyes and Places for which they shall bee soe elected or Deputed, shall have a generall meeting or Assembly, then and their to Consult and advise in and about the Affaires and businesse of the said Company; And that the Governour, or in his absence the Deputy Gov ernour of the said Company for the tyme being, and such of the Assistants and freemen of the said Company as shall be soe Elected or Deputed and bee present att such meeting or Assembly, or the greatest number of them, whereof the Governour or Deputy Governour and Six of the Assistants at least (to bee Seaven) shall bee called the Generall Assembly, and shall have full power and authority to alter and change their dayes and tymes of meeting or Generall Assemblies for Electing the Governour, Deputy Governour and Assistants or other Officers or any other Courts, Assemblies or meetings, and to Choose, Nominate and appoint such and soe many other Persons as they shall thinke fitt and shall bee will ing to accept the same, to be free of the said Company and Body Politique, and them into the same to Admitt and to Elect, and Constitute such Officers as they shall thinke fitt and requisite for the Ordering, mannageing and disposeing of the Affaires of the said Governour and Company and their Successors. **And wee doe** hereby for vs, our heirs and Successors, Establish and Ordeine, that once in the yeare for ever hereafter, namely, the said Second Thursday in May, the Governour, Deputy Governour, and Assistants of the said Company and other Officers of the said Company, or such of them as the said Generall Assembly shall thinke fitt, shall bee in the said Generall Court and Assembly to bee held from that day or tyme newly Chosen for the yeare ensuing, by such greater part of the said Company for the tyme being then and there present. And if the Governour, Deputy Governour and Assistants by these presents appointed, or such as hereafter bee newly Chosen into their Roomes, or any of them, or any other the Officers to bee appointed for the said Company shall dye or bee removed from his or their severall Offices or Places before the said Generall day of Electon, whome wee doe hereby Declare for any misdemeanour or default to bee removeable by the Governour,

Assistants and Company, or such greater part of them in any of the said publique Courts to bee Assembled as is aforesaid, That then and in every such Case itt shall and may bee lawfull to and for the Governour, Deputy Governour and Assistants and Company aforesaid, or such greater parte of them soe to bee Assembled as is aforesaid in any of their Assemblies to Proceede to a New Elecc̃on of one or more of their Company in the Roome or place, Roomes or Places of such Governour, Deputy Governour, Assistant or other Officer or Officers soe dyeing or removed, according to their discretions; and immediately vpon and after such Elecc̃on or Elecc̃ons made of such Governour, Deputy Governour, Assistant or Assistants, or any other Officer of the said Company in manner and forme aforesaid, The Authority, Office and Power before given to the former Governour, Deputy Governour or other Officer and Officers soe removed, in whose stead and Place new shall be chosen, shall as to him and them and every of them respectively cease and determine. **Provided,** alsoe, and our will and pleasure is, That as well such as are by theis presents appointed to bee the present Governour, Deputy Governour and Assistants of the said Company as those that shall succeed them, and all other Officers to bee appointed and Chosen as aforesaid, shall, before they vndertake the Execuc̃on of their said Offices and Places respectively, take their severall and respective Corporall Oathes for the due and faithfull performance of their dutyes in their severall Offices and Places, before such Person or Persons as are by these Presents hereafter appoynted to take and receive the same; That is to say, the said John Winthrop, whoe is herein before nominated and appointed the present Governour of the said Company, shall take the said Oath before one or more of the Masters of our Court of Chancery for the tyme being, vnto which Master of Chancery **wee doe,** by theis presents, give full power and authority to Administer the said Oath to the said John Winthrop accordingly. And the said John Mason, whoe is herein before nominated and appointed the present Deputy Governour of the said Company, shall take the said Oath before the said John Winthrop, or any twoe of the Assistants of the said Company, vnto whome **wee doe** by these presents, give full power and authority to Administer the said Oath to the said John Mason accordingly. **And** the said Samuell Willis, Henry Clerke, Mathew Allen, John Tappen, Nathan Gold, Richard Treate, Richard Lord, Henry Woolcott, John Talcott, Daniell

Clerke, John Ogden and Thomas Welles, whoe are herein before Nominated and appointed the present Assistants of the said Company, shall take the Oath before the said John Winthrop and John Mason, or one of them, to whome **wee doe** hereby give full power and authority to Administer the same accordingly. **And** our further will and pleasure is, that all and every Governour or Deputy Governour to bee Elected and Chosen by vertue of theis presents, shall take the said Oath before two or more of the Assistants of the said Company for the tyme being, vnto whom wee doe, by theis presents, give full power and authority to give and Administer the said Oath accordingly. And the said Assistants and every of them, and all and every other Officer or Officers to bee hereafter Chosen from tyme to tyme, to take the said Oath before the Governour or Deputy Governour for the tyme being, vnto which said Governour or Deputy Governour wee doe, by theis presents, give full power and authority to Administer the same accordingly. **And further,** of our more ample grace, certeine knowledge and meere moĉon **wee have** given and Graunted, and by theis presents, for vs, our heires and Successors, **Doe** give and Graunt vnto the said Governour and Company of the English Colony of Conecticut in New England in America, and to every Inhabitant there, and to every Person and Persons Tradeing thither, And to every such Person and Persons as are or shall bee free of the said Collony, full power and authority from tyme to tyme and att all tymes hereafter, to take, Ship, Transport and Carry away, for and towards the Plantaĉon and defence of the said Collony such of our loveing Subjects and Strangers as shall or will willingly accompany them in and to their said Collony and Plantaĉon: (Except such Person and Persons as are or shall bee therein restrayned by vs, our heires and Successors;) And alsoe to Ship and Transport all and all manner of goods, Chattells, Merchandizes and other things whatsoever that are or shall bee vsefull or necessary for the Inhabitants of the said Collony and may lawfully bee Transported thither; Neverthelesse, not to bee discharged of payment to vs, our heires and Successors, of the Dutyes, Customes and Subsidies which are or ought to bee paid or payable for the same. . **And further,** Our will and pleasure is, and **wee doe** for vs, our heirs and Successors, Ordeyne, Declare and Graunt vnto the said Governor and Company and their Successors, That all and every the Subiects of vs, our heires or Successors which shall goe to Inhabite within the said Colony, and every of their

Children which shall happen to bee borne there or on the Sea in goeing thither or returneing from thence, shall have and enioye all liberties and Immunities of free and naturall Subiects within any the Dominions of vs, our heires or Successors, to all intents, Construcc̃ons and purposes watsoever, as if they and every of them were borne within the Realme of England. **And wee doe** authorise and impower the Governour, or in his absence the Deputy Governor for the tyme being, to appointe two or more of the said Assistants att any of their Courts or Assemblyes to bee held as aforesaid, to have power and authority to Administer the Oath of Supremacy and obedience to all and every Person and Persons which shall att any tyme or tymes hereafter goe or passe into the said Colony of Conecticutt, vnto which said Assistants soe to bee appointed as aforesaid, **wee doe,** by these presents, give full power and authority to Administer the said Oath accordingly. **And wee doe further,** of our especiall grace, certeine knowledge and meere moc̃on, give and Graunt vnto the said Governor and Company of the English Colony of Conecticutt in New England in America, and their Successors, that itt shall and may bee lawfull to and for the Governor or Deputy Governor and such of the Assistants of the said Company for the tyme being as shall bee Assembled in any of the Generall Courts aforesaid, or in any Courts to bee especially Sumoned or Assembled for that purpose, or the greater parte of them, whereof the Governor or Deputy Governor and Six of the Assistants, (to be all wayes Seaven,) to Erect and make such Judicatories for the heareing and Determining of all Ac̃ons, Causes, matters and thinges happening within the said Colony or Plantac̃on and which shall bee in dispute and depending there, as they shall thinke fitt and convenient; And alsoe from tyme to tyme to Make, Ordaine and Establish All manner of wholsome and reasonable Lawes, Statutes, Ordinances, Direcc̃ons and Instrucc̃ons, not contrary to the lawes of this Realme of England, aswell for setling the formes and Ceremonies of Governement and Magestracy fitt and necessary for the said Plantac̃on and the Inhabitants there as for nameing and Stileing all sorts of Officers, both superior and inferior, which they shall find needfull for the Governement and Plantac̃on of the said Colony, and distinguishing and setting forth of the severall Dutyes, Powers and Lymitts of every such Office and Place, and the formes of such

Oathes, not being contrary to the Lawes and Statutes of this our Realme of England, to bee Administred for the Execuc̃on of the said severall Offices and Places; As alsoe for the disposeing and Ordering of the Elec̃on of such of the said Officers as are to bee Annually Chosen, and of such others as shall succeed in case of death or removall, and Administring the said Oath to the new Elected Officers, and Graunting necessary Comissions, and for imposic̃on of lawfull Fines, Mulcts, Imprisonment or other Punishment vpon Offenders and Delinquents, according to the Course of other Corporac̃ons within this our Kingdome of England, and the same Lawes, fines, Mulcts and Execuc̃ons to alter, change, revoke, adnull, release or Pardon, vnder their Comon Seale, As by the said Generall Assembly or the maior part of them shall bee thought fitt; And for the directing, ruleing and disposeing of all other matters and things whereby our said people, Inhabitants there, may bee soe religiously, peaceably and civilly Governed as their good life and orderly Conversac̃on may wynn and invite the Natives of the Country to the knowledge and obedience of the onely true God and Saviour of mankind, and the Christian faith, which in our Royall intenc̃ons and the Adventurers free profession is the onely and principall end of this Plantac̃on; **Willing,** Commanding and requireing, and by these presents, for vs, our heires and Successors, Ordaineing and appointeing That all such Lawes, Statutes and Ordinances, Instruc̃ons, Imposic̃ons, and Direc̃ons as shall bee soe made by the Governor, Deputy Governor and Assistants, as aforesaid, and published in writeing vnder their Comon Seale, shall carefully and duely bee observed, kept, performed and putt in execuc̃on, according to the true intent and meaning of the same. **And** these our letters Patent, or the Duplicate or Exemplificac̃on thereof, shall bee to all and every such Officers, Superiors and inferiors, from tyme to tyme for the Putting of the same Orders, Lawes Statutes, Ordinances, Instruc̃ons and Direc̃ons in due Execuc̃on, against vs, our heires and Successors, a sufficient warrant and discharge. **And wee doe further,** for vs, our heires and Successors, give and Graunt vnto the said Governor and Company and their Successors, by these presents, That itt shall and may bee lawfull to and for the Cheife Commanders, Governors and Officers of the said Company for the tyme being whoe shall bee resident in the parts of New England hereafter menc̃oned, and others inhabiting there by their leave, admittance,

appointment or direccon, from tyme to tyme and att all tymes hereafter, for their speciall defence and safety, to Assemble, Martiall, Array, and putt in Warlike posture the Inhabitants of the said Colony, and to Commissionate, Impower and authorise such Person or Persons as they shall thinke fitt to lead and Conduct the said Inhabitants, and to encounter, expulse, repell and resist by force of Armes, as well by Sea as by land, And alsoe to kill, Slay and destroy, by all fitting wayes, enterprizes and meanes whatsoever, all and every such Person or Persons as shall att any tyme hereafter Attempt or enterprize the destruccon, invasion, detriment or annoyance of the said Inhabitants or Plantacon, And to vse and exercise the Law Martiall in such Cases onely as occasion shall require, And to take or surprize by all wayes and meanes whatsoever, all and every such Person and Persons, with their Shipps, Armour, Ammunicon, and other goods of such as shall in such hostile manner invade or attempt the defeating of the said Plantacon or the hurt of the said Company and Inhabitants; and vpon iust Causes to invade and destroy the Natives or other Enemyes of the said Colony. **Neverthelesse,** Our Will and pleasure is, And **wee doe** hereby Declare vnto all Christian Kings, Princes and States, That if any Persons which shall hereafter bee of the said Company or Plantacon, or any other, by appointment of the said Governor and Company for the tyme being, shall att any tyme or tymes hereafter Robb or Spoile by Sea or by land, and doe any hurt, violence or vnlawfull hostillity to any of the Subiects of vs, our heires or Successors, or any of the Subiects of any Prince or State beinge then in league with vs, our heires or Successors, vpon Complaint of such iniury done to any such Prince or State, or their Subiects, **wee,** our heires and Successors, will make open Proclamacon within any parts of our Realme of England fitt for that purpose, That the Person or Persons committinge any such Robbery or Spoile, shall within the tyme lymitted by such Proclamacon, make full restitucon or satisfaccon of all such iniuries done or committed, Soe as the said Prince or others soe complayneing may bee fully satisfied and contented. And if the said Person or Persons whoe shall committ any such Robbery or Spoile shall not make satisfaccon accordingly, within such tyme soe to bee limitted, That then itt shall and may bee lawfull for vs, our heires and Successors, to putt such Person or Persons out of our Allegiance and Protecccon. And that it shall and may bee lawfull and free for all

Princes or others to Prosecute with hostility such Offenders and every of them, their and every of their Procurers, ayders, Abettors and Councellors in that behalfe. **Provided,** alsoe, and our expresse will and pleasure is, **And wee doe** by these presents for vs, our heires and Successors, Ordeyne and appointe that these presents shall not in any manner hinder any of our loveing Subiects whatsoever to vse and exercise the Trade of Fishinge vpon the Coast of New England in America, but they and every or any of them shall have full and free power and liberty to contynue and vse the said Trade of Fishing vpon the said Coast, in any of the Seas therevnto adioyning, or any Armes of the Seas or Salt Water Rivers where they have byn accustomed to Fish, And to build and sett vpon the wast land belonging to the said Colony of Conecticutt, such Wharfes, Stages and workehouses as shall bee necessary for the Salting, dryeing and keepeing of their Fish to bee taken or gotten vpon that Coast, — any thinge in these presents conteyned to the contrary notwithstanding. **And knowe yee further,** That Wee, of our more abundant grace, certaine knowledge and meere moc̃on **have** given, Graunted and Confirmed, And by theis presents, for vs, our heires and Successors, **Doe** give, Graunt and Confirme vnto the said Governor and Company and their Succes sors, **All** that parte of our Dominions in Newe England in America bounded on the East by Norroganeett River, comonly called Norroganeett Bay, where the said River falleth into the Sea, and on the North by the lyne of the Massachusetts Plantation, and on the South by the Sea, and in longitude as the lyne of the Massachusetts Colony, runinge from East to West; that is to say, from the said Narroganeett Bay on the East to the South Sea on the West parte, with the Islands therevnto adioyneinge, Together with all firme lands, Soyles, Grounds, Havens, Ports, Rivers, Waters, Fishings, Mynes, Myneralls, Precious Stones, Quarries, and all and singuler other Comodities, Iurisdicc̃ons, Royalties, Privileadges, Francheses, Preheminences and hereditaments whatsoever within the said Tract, Bounds, lands and Islands aforesaid, or to them or any of them belonging, **To have and to hold** the same vnto the said Governor and Company, their Successors and Assignes, for ever vpon Trust and for the vse and benefitt of themselves and their Associates, freemen of the said Colony, their heires and Assignes, **To bee holden** of vs, our heires and Successors, as of our Manor of East Greenewich, in Free and Comon Soccage, and not in Capite

nor by Knights Service, **Yeilding and Payinge** therefore to vs, our heires and Successors, onely the Fifth parte of all the Oare of Gold and Silver which from tyme to tyme and att all tymes hereafter shall bee there gotten, had or obteyned, in liew of all Services, Dutyes and Demaunds whatsoever, to bee to vs, our heires or Successors, therefore or thereout rendered, made or paid. **And lastly,** Wee doe for vs, our heires, and Successors, Graunt to the said Governor and Company and their Successors, by these presents, that these our Letters Patent shall bee firme, good and effectuall in the lawe to all intents, Construccons and purposes whatsoever, accordinge to our true intent and meaneing herein before Declared, as shall bee Construed, reputed and adiudged most favourable on the behalfe and for the best benefitt and behoofe of the said Governor and Company and their Successors, **Although expresse mention** of the true yearely value of certeinty of the premises, or of any of them, or of any other Guifts or Graunts by vs or by any of our Progenitors or Predecessors heretofore made to the said Governor and Company of the English Colony of Conecticutt in New England in America aforesaid in theis presents is not made, or any Statute, Act, Ordinance, Provision, Proclamacon or Restriccon heretofore had, made, Enacted, Ordeyned or Provided, or any other matter, Cause or thinge whatsoever to the contrary thereof in any wise notwithstanding. **In witnes** whereof, we have caused these our Letters to bee made Patent: **witnes** our Selfe, att Westminster, the three and Twentieth day of Aprill, in the Fowerteenth yeare of our Reigne.

By writt of Privy Seale. **Howard.**